

IOWA DEPARTMENT OF PUBLIC HEALTH

STATEWIDE STANDING ORDER FOR COVID-19 TESTING

Pursuant to the authority contained in Iowa Code section 135.144(3) and (5), I, Caitlin Pedati, State Medical Director, hereby issue the following Standing Order for COVID-19 Testing (Order):

I. Purpose

This Order is intended to increase the level of testing for COVID-19 in Iowa and enhance the ability of Iowans to access COVID-19 testing. This Order is intended to provide authorization for COVID-19 testing which is not otherwise ordered through a treating health care provider, long term care facility medical director, or occupational health provider. This Order is intended to supplement and not supplant such existing testing.

II. Legal Authority

The Governor of the State of Iowa issued a proclamation of public health disaster emergency on March 17, 2020, in response to the COVID-19 global pandemic. Pursuant to Iowa Code section 135.144(5), the Department of Public Health (Department) is authorized during a public health disaster to “order tests and collect specimens as necessary for the diagnosis and treatment of individuals, to be performed by any qualified person authorized to do so by the Department.” This Order authorizes qualified persons to conduct COVID-19 testing at COVID-19 testing sites on eligible individuals and to submit such tests to a designated laboratory.

III. Definitions

For purpose of this Order, the following definitions shall apply:

“*COVID-19 test*” or “*COVID-19 testing*” means any SARS-CoV-2 PCR test including viral RNA and any serological test including antigen and antibody testing.

“*Eligible individual*” means an individual eligible for a COVID-19 test, including: (1) a healthcare worker, essential services personnel, first responder or critical infrastructure worker with fever or respiratory illness; (2) older adult (>60 years of age) with fever or respiratory symptoms and chronic medical conditions; (3) a person of any age with fever or respiratory illness who lives in a congregate setting; (4) a person of any age with fever or respiratory illness who works in a congregate setting; (5) a person of any age who has had close contact with a person who has tested positive for COVID-19; (6) a resident or employee in a long-term care facility or other congregate living setting if anyone at the facility, staff or resident, has tested positive for COVID-19; (7) an employee at any congregate work setting including meatpacking plants, factories with production lines, and

warehouses, if anyone in the employment setting has tested positive for COVID-19; (8) a persons with symptoms of potential COVID-19 infection, including: fever, cough, shortness of breath, chills, muscle pain, new loss of taste or smell, vomiting or diarrhea and/or sore throat; or (9) a person who has been selected for testing through Test Iowa.

“Qualified person” means a person who is authorized to collect specimens for COVID-19 testing at a COVID-19 testing site, including: (1) a person licensed, certified, or otherwise authorized or permitted by the laws of the state of Iowa or Gubernatorial Proclamations of Disaster Emergency issued on or after March 9, 2020, to collect such specimens; or (2) a member of the Iowa National Guard who is authorized to collect such specimens pursuant to the Memorandum of Agreement between the Department of Public Defense, the Iowa Department of Public Health, and the Office of the Chief Information Officer dated April 21, 2020, and subsequent Amendments.

IV. Authorization

This Order authorizes a qualified person to perform COVID-19 testing at a COVID-19 testing site on an eligible individual and to submit such test to a designated laboratory.

V. Collection of Specimen

A qualified person shall collect all specimens in accordance with the Centers for Disease Control and Prevention “Guidelines for Clinical Specimens” in effect at the time of collection.

VI. Storage of Specimen

All specimens shall be stored as recommended by the designated laboratory prior to shipping to the laboratory.

VII. Testing of Specimen

All specimens shall be submitted for testing to the State Hygienic Laboratory or national reference laboratory as appropriate.

VIII. Reporting of Test Results

All COVID-19 test results shall be reported as required by Iowa Code section 139A.3, 641 IAC chapter 1, and the Mandatory Reporting Order issued April 18, 2020, and any subsequent modification to such order.

IX. Contraindications

Specimens should not be collected and the individual should be directed to immediate medical evaluation if the eligible individual appears toxic, is struggling to breathe, or is moribund.

X. Medical Care

Individuals who test positive for COVID-19 should contact their health care provider for medical advice regarding their care, and individuals who do not have a health care provider should be encouraged to contact their local board of health for referral assistance. The issuance of this standing order does not establish a physician-patient relationship.

XI. Immunities

State Law. Iowa law contains immunity provisions protecting persons, corporations, and other legal entities, and employees and agents of such persons, corporations, and other legal entities who provide medical care or assistance in good faith under the direction of the Department of Public Health during a public health disaster. Iowa Code § 135.147.

A qualified person, health care provider, hospital, health care facility, testing site, laboratory, and any other person, corporation, or other legal entity or employee or agent of any such person, corporation, or entity conducting COVID-19 testing in compliance with this Order in good faith is acting at the request of and under the direction of the Iowa Department of Public Health for purposes of the immunity provisions of Iowa Code section 135.147.

Federal Law. Federal law contains immunity provisions under the PREP Act, which provides that covered persons are immune from suit and liability under state and federal law with respect to all claims for loss caused by, arising out of, relating to, or resulting from the administration to or the use by an individual of a covered countermeasure. 42 U.S.C. § 247d–6d(a)(1). On March 10, 2020, the Secretary of Health and Human Services issued a Declaration pursuant to the PREP Act which identified COVID-19 as a public health emergency and classified COVID-19 tests covered countermeasures. With respect to the administration or use of a COVID-19 test, “covered persons” include licensed health professionals authorized to prescribe, administer, or dispense countermeasures under the law of the State in which the COVID-19 test was prescribed, administered, or dispensed. 42 U.S.C. § 247d-6d(i)(8).

XII. Effective date

This Order shall provide authorization for COVID-19 testing performed from the initial date of declaration of public health disaster emergency on March 17, 2020, through the duration of the state of public health disaster emergency unless sooner terminated or modified by subsequent order of the Department.

/s/ Caitlin Pedati
Caitlin Pedati, MD, MPH, FAAP
Medical Director and State Epidemiologist
Iowa Department of Public Health

May 12, 2020
Date

